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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,777	07/31/2001	Christopher Uhlik	15685P098	4003
8791 7590 11/12/2004 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			EXAMINER NGUYEN, THU HA T	
			ART UNIT 2155	PAPER NUMBER

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/919,777

Applicant(s)

UHLIK ET AL.

Examiner

Thu Ha T. Nguyen

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-24 are presented for examination.

**Claim Objections**

2. Claim 10 is objected to because of the following informalities: Claim 10 claimed as an independent claim of a machine accessible storage medium that is separated and different with method of claim 1. In order to make the claims clearly and distinctly between the method and machine storage medium, Applicant(s) is requested to express or correct claim 10 in the way as claim 1. That means including all the limitations as recited in claim 1. Appropriate correction is required.

**Claim Rejections - 35 USC § 101**

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 10 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claim 10 recited the limitation "A machine accessible storage medium comprising a plurality of executable instructions" which does not clearly address a claimed computer readable medium encoded with a computer program or a computer readable medium storing program instructions. When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be

Art Unit: 2155

realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (claim to data structure stored on a computer readable medium that increases computer efficiency held statutory) and *Warmerdam*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim) with *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory). When nonfunctional descriptive material is recorded on some computer-readable medium, it is not statutory since no requisite functionality is present to satisfy the practical application requirement. Merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make it statutory. Such a result would exalt form over substance. *In re Sarkar*, 588 F.2d 1330, 1333, 200 USPQ 132, 137 (CCPA 1978) ("[E]ach invention must be evaluated as claimed; yet semantogenic considerations preclude a determination based solely on words appearing in the claims. See MPEP § 2106 under subsection "IV. DETERMINE WHETHER THE CLAIMED INVENTION COMPLIES WITH 35 U.S.C. 101".

### Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1, 8, 9, 11, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2155

7. Claim 1 recites the limitation "the point-to-point communication session" in page 35, line 6. There is insufficient antecedent basis for this limitation in the claim.

8. Claim 8, and 9 recited the limitation "the function" in page 36, line 1 and page 37, line 1 are lack of antecedent basis in the claim. Which function does applicant(s) mean?

9. Claim 11 recited the limitation "the communication session" in page 37, line 6 and "the network access server" in line 8. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 20 recited the limitation "the machine" in page 39, line 4, line 6 and "the communication session" line 5. There is insufficient antecedent basis for this limitation in the claim.

11. Appropriate correction and/or reasonable explanation are required.

### 102(e)

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 1-3 and 10 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Lin et al.** (hereinafter Lin) U.S. Patent No. **6,269,402**.

14. As to claim 1, Lin teaches the invention as claimed, including a method comprising: receiving a request to establish a communication session between a subscriber unit in a wireless communication system and a data network access server through a base station (abstract, figures 1-3, 5, elements 202, 208, 222, col. 3, lines 28-50); and selectively generating a communication session identifier to uniquely identify the communication session from a plurality of communication sessions supported by the network access server to enable mobility management within the point-to-point communication session between the base station and the network access server (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24).

15. As to claim 2, Lin teaches the invention as claimed, further comprising: determining, at the network access server, whether the received request is a request for a new communication session or a handoff of an existing communication session (abstract, figures 3, 6, col. 4, lines 35-61, col. 5, lines 17-67, col. 6, lines 26-38).

16. As to claim 3, Lin teaches the invention as claimed, wherein generation of the communication session identifier is electively performed if the received request is a request for a new communication session (figure 3).

17. As to claim 10, it is a system claim directed for generating the communication session identifier of method claim 1; therefore, claim 10 is rejected under the same rationale of claim 1.

### **Claim Rejections - 35 USC § 103**

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claim 4 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin et al.** (hereinafter Lin) U.S. Patent No. **6,269,402**, in view of **Igarashi et al.** (hereinafter Igarashi) U.S. Publication No. **2001/0053694**.

20. As to claim 4, Lin does not explicitly teach the invention as claimed; however, Igarashi teaches wherein determining comprises: analyzing attribute-value pair(s) (AVP) of the received incoming call request to identify a callType AVP; and identifying the incoming call request as a request for a new communication session if the callType AVP is absent from the incoming call request, or an identified callType AVP associated with the incoming call request denotes a new call (paragraph 0104, 0193-0199, 0290). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Igarashi

to include the step of determining AVP of the received incoming call whether the request communication session is a new call or not because it would have an efficient communication system that allow to keep track, detect and authorize the call request.

21. Claims 5-9, and 19 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin et al.** (hereinafter Lin) U.S. Patent No. **6,269,402**, and **Maggenti et al.** (hereinafter Maggenti) U.S. Publication No. **2003/0012149**, further in view of **Murphy, Jr. et al.** (hereinafter Murphy, Jr.) U.S. Patent No. **6,006,266**.

22. As to claim 5, Lin teaches the invention as claimed, wherein selectively generating the communication session identifier comprises: composing a deterministic element of the communication session identifier (col. 5, lines 1-16). Lin does not explicitly teach the step of composing a random element of the communication session identifier; and employing a mathematical function to generate the communication session identifier using the deterministic element and the random element.

Maggenti teaches composing a random element of the communication session identifier (paragraphs 0272-0273, 0454-0456). Murphy, Jr. teaches employing a mathematical function to generate the communication session identifier using the deterministic element and the random element (col. 9, lines 22-col. 10, lines 64). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Maggenti and Murphy, Jr. to include the step of composing a random element of the communication session



Art Unit: 2155

identifier because it would provide secure communication system between subscriber unit and server.

23. As to claim 6, Lin teaches the invention as claimed, wherein the deterministic element is comprised of one or more of an electronic serial number (ESN) of the accessing subscriber unit, a media access control (MAC) address of the subscriber unit, and/or a telephone number associated with the subscriber unit (col. 5, lines 2-16).

24. As to claim 7, Lin does not explicitly teaches the invention as claimed; however, Maggenti teaches wherein the random element is comprised of one or more of a pseudo-random number, and/or a true random number generated from radio frequency (RF) energy of thermal noise associated with the communication session (paragraphs 0272-0273, 0454-0456, 0461-0473). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include the step of composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

25. As to claim 8, Murphy, Jr. teaches the invention as claimed, wherein the function employed concatenates the deterministic element and the random element to generate the communication session identifier (col. 9, lines 22-col. 10, lines 64). It

Art Unit: 2155

would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Murphy, Jr. to employed concatenates the deterministic element and the random element to generate the communication session identifier because it would provide secure communication system between subscriber unit and server.

26. As to claim 9, Murphy, Jr. teaches the invention as claimed, wherein the function employed generates a hash of the deterministic element and the random element to generate the communication session identifier (col. 9, lines 22-col. 10, lines 64, coll. 12, lines 58-col. 13, lines 5). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Murphy, Jr. to include the step of composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

27. As to claim 19, Lin and Maggenti do not explicitly teach the invention as claimed; however, Murphy, Jr. teaches wherein the session identification generator composes a session identifier for the communication session by computing a function of one or more of at least the deterministic element and/or the random element (col. 9, lines 22-col. 10, lines 64). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Murphy, Jr. to employed concatenates the deterministic element and the

Art Unit: 2155

random element to generate the communication session identifier because it would provide secure communication system between subscriber unit and server.

28. Claims 11-13, 16-18, 20-21, and 23-24 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin et al.** (hereinafter Lin) U.S. Patent No. **6,269,402**, in view of **Maggenti et al.** (hereinafter Maggenti) U.S. Publication No. **2003/0012149**.

29. As to claim 11, Lin teaches the invention as claimed, including an apparatus comprising: a network interface, to receive a request for a point-to-point communication session between a wireless communication system subscriber unit and the apparatus through a base station (abstract, figures 1-3, 5, elements 202, 208, 222, col. 3, lines 28-50). Lin teaches a base station (208) receives a request communication session establishes from a client (202) and sends the request to server (222) ((see figure 2)(It would have been obvious to one of ordinary skill in the art that the client (202), base station (208), and server (222) have to have an interface in order to receive the request and response)); and selectively generate a communication session identifier to uniquely identify the communication session from a plurality of communication sessions supported by the apparatus to enable mobility management within the point-to-point communication session between the base station and the network access server (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24). Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the

Art Unit: 2155

session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a communication agent or hardware/software function to generate the communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

30. As to claim 12, Lin teaches the invention as claimed, wherein the communications agent determines whether the received request is a request for a new communication session or a handoff of an existing communication session (abstract, figures 3, 6, col. 4, lines 35-61, col. 5, lines 17-67, col. 6, lines 26-38).

31. As to claim 13, Lin teaches the invention as claimed, wherein communications agent comprises: a session identification generator, selectively invoked by communications agent, to dynamically generate a communication session identifier including at least a deterministic element and a random element (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24). Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the session identifier

Art Unit: 2155

(col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a session identification generator invoked by a communication agent or hardware/software function to generate communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

32. As to claim 16, Lin teaches the invention as claimed, wherein the session identification generator composes the deterministic element using one or more of an electronic serial number (ESN) of the accessing subscriber unit, a media access control (MAC) address of the subscriber unit, and/or a telephone number of the subscriber unit (col. 5, lines 2-16).

33. As to claim 17, Lin does not explicitly teach the invention as claimed, Maggenti teaches wherein the session identification generator composes the random element of the session identifier utilizing a pseudo-random number generator (paragraphs 0272-0273, 0454-0456, 0461-0473). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to

Art Unit: 2155

combine the teachings of Lin and Maggenti to include the step of composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

34. As to claim 18, Lin does not explicitly teach the invention as claimed, Maggenti teaches wherein the session identification generator composes the random element of the session identifier by generating a true random number from radio frequency (RF) thermal noise (paragraphs 0272-0273, 0454-0456, 0461-0473). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include the step of composing a random element of the communication session identifier because it would provide secure communication system between subscriber unit and server.

35. As to claim 20, Lin teaches the invention as claimed, including a machine accessible medium having stored therein a plurality of executable instructions which, when executed by an accessing machine, implement a communications agent to receive a request from a wireless communication system subscriber unit through a base station for a point-to-point communication session with the machine (abstract, figures 1-3, 5, elements 202, 208, 222, col. 3, lines 28-50) and to selectively generate a communication session identifier to uniquely identify the communication session from one or more of a plurality of communication sessions supported by the machine, and to enable mobility management within the point-to-point communication session between

Art Unit: 2155

the base station and the machine (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38- col. 4, lines 24). Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a communication agent or hardware/software function to generate the communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

36. As to claim 21, Lin teaches the invention as claimed, wherein the medium is a storage device (figures 1-2). Lin implicitly teaches server has software components or functions to generate communication session identifier (col. 3, lines 40-40). It would have been obvious to one of ordinary skill in the art that server has to have a memory device or storage in order to store that software components to generate communication session identifier.

37. As to claim 23, Lin teaches the invention as claimed, wherein the communications agent generates the session identifier upon determining that an

Art Unit: 2155

incoming call request is for a new communication session and not a handoff of an existing communication session (abstract, figures 3, 6, col. 4, lines 35-61, col. 5, lines 17-67, col. 6, lines 26-38).

38. As to claim 24, Lin teaches the invention as claimed, wherein the communications agent dynamically generates a unique session identifier including a deterministic element and a random element (figure 2-3, 5, blocks 304, 306, 506, col. 3, lines 38-col. 4, lines 24). Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a communication agent or hardware/software function to generate the communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server.

39. Claims 14 and 15 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin et al.** (hereinafter Lin) U.S. Patent No. **6,269,402**, and **Maggenti**



**et al.** (hereinafter Maggenti) U.S. Publication No. **2003/0012149**, further in view of **Igarashi et al.** (hereinafter Igarashi) U.S. Publication No. **2001/0053694**.

40. As to claim 14, Lin does not explicitly teach a communications agent; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a communication agent or hardware/software function to generate communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server. However, Lin does not explicitly teaches wherein determining comprises: analyzing attribute-value pair(s) (AVP) of a received incoming call request control command to identify a callType AVP to determine whether the incoming call request indicates a new communication session or a handoff of an existing communication session. Igarashi teaches wherein determining comprises: analyzing attribute-value pair(s) (AVP) of a received incoming call request control command to identify a callType AVP to determine whether the incoming call request indicates a new communication session or a handoff of an existing communication session (paragraph 0104, 0193-0199, 0290). It would have

Art Unit: 2155

been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Maggenti and Igarashi to include the step of determining AVP of the received incoming call whether the request communication session is a new call or not because it would have an efficient communication system that allow to keep track, detect and authorize the call request.

41. As to claim 15, Lin does not explicitly teach a communications agent selectively invokes communication session identification generator; however, Lin teaches the server generates the session identifier (col. 3, lines 40-50). It would have been obvious to one of ordinary skill in the art that Lin implicitly teaches a session identification generator invoked by a communication agent or hardware/software function to generate communication session identifier because it would allow server has a capability to generate session identifier. However, in order to support the teaching obviousness of a communication agent in Lin, Maggenti teaches a communication agent (figures 3, 6, elements 218, 600, paragraphs 0092-0095, 0114-0119). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Maggenti to include a communication agent because it would provide a security communication system between subscriber unit and server. However, Lin does not explicitly teach if the AVP denotes a newCall call type, or if the callType AVP is not identified within the incoming call request control command. Igarashi teaches if the AVP denotes a newCall call type, or if the callType AVP is not identified within the incoming call request control command

Art Unit: 2155

(paragraph 0104, 0193-0199, 0290). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin, Maggenti and Igarashi to include the step of determining if the AVP denotes a newCall call type, or if the callType AVP is not identified within the incoming call request control command because it would have an efficient communication system that allow to keep track, detect and authorize the call request.

42. Claim 22 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Lin et al.** (hereinafter Lin) U.S. Patent No. **6,269,402**, in view of **Murphy, Jr. et al.** (hereinafter Murphy, Jr.) U.S. Patent No. **6,006,266**.

43. As to claim 22, Lin does not explicitly teach the invention as claimed; however, Murphy, Jr. teaches wherein the medium is a propagated signal (col. 17, lines 43-53). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Lin and Murphy, Jr. to include the medium is a propagated signal because it would provide an efficient communication system for storing signals and controlling the operation of communication between subscriber unit and server.

### **Conclusion**

44. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2155

45. Ho et al. (2002/0116501), Kaplan (2002/0146129), Chuah (6,654,808), Verma et al. (6,522,880), King (6,317,831), Shani (6,363,482), Bellwood et al. (6,584,567) are recited for disclosing various information related to the claimed invention Name of inventor. Applicants are requested to consider these prior art references when responding to this office action.

46. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached at (571) 272-3978.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications.

Thu Ha Nguyen

November 5, 2004

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER